

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DERRICK URAYE STRICKLIN,

Defendant.

8:02CR220

ORDER

Defendant Derrick Uraye Stricklin (Stricklin) appeared before the court on October 3, 2012, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 147). Stricklin was represented by Assistant Federal Public Defender Julie B. Hansen and the United States was represented by Assistant U.S. Attorney John E. Higgins. Through his counsel, Stricklin requested a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). The government moved for detention. A combined probable cause and detention hearing was continued to October 9, 2012.

Defendant Daniel E. Stricklin (Stricklin) appeared before the court on October 9, 2012, with his counsel, Ms. Hansen. The United States was represented by AUSA Higgins. The court heard the testimony of U.S. Probation Officer Travis Wilcoxon and received into evidence Incident Reports regarding the allegation of the incident on September 28, 2012 (Exhibits 1 and 2). The courts finds there is probable cause to believe the violations have occurred and Stricklin has violated the conditions of his supervised release as alleged. Stricklin will be held to answer for a final dispositional hearing before Senior Judge Lyle E. Strom.

It is Stricklin's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community. I find he has failed to do so. In light of Stricklin's previous criminal record including the circumstances of the current violations, the court finds Stricklin to be both a flight risk and a danger to the community. Stricklin should be detained pending a dispositional hearing before Senior Judge Strom.

IT IS ORDERED:

1. A final dispositional hearing will be held before Senior Judge Lyle E. Strom in Courtroom No. 5, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 10:00 a.m. on October 31, 2012.** Defendant must be present in person.

2. Defendant Derrick Uraye Stricklin is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;

3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 9th day of October, 2012.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge